

Bryan W. Shaw, Ph.D., P.E., *Chairman*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 18, 2017

The Honorable Dan Patrick
Lieutenant Governor of Texas
Capitol Station
PO Box 12068
Austin, Texas 78711

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution.

Senate Bill (SB) 2250, as Filed by Senator Brandon Creighton and Senator Robert Nichols - relating to the board of directors of the Lone Star Groundwater Conservation District.

Dear Governor Patrick:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

The bill amends Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001, Lone Star Groundwater Conservation District (District), located in Montgomery County, by changing the number of appointed District board directors from nine, to seven elected directors. One director is elected from each of the four commissioner's precincts of Montgomery County and one director is elected by the voters at large. The City of Conroe voters also elect one director and the Woodlands Township voters elect the final director. Directors serving on August 31, 2017 shall serve until the successor is elected on the uniform election date in November 2018. After the November 2018 election, the precinct 1 director, the at-large director, and the director elected by the City of Conroe shall serve a two year term that expires December 1, 2020. The directors of precincts 2, 3, and 4 and the elected Woodlands Township director shall serve a four year term, expiring on December 1, 2022. Vacancies are filled according to Texas Water Code §36.051 (c). The timing and manner of the appointment of the previous nine board members and filling of vacancies is removed.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Wilson".

Kim Wilson, Director
Water Availability Division

cc: The Honorable Charles Perry, Chairman, Senate Committee on Agriculture, Water, and Rural Affairs
Senator Brandon Creighton, Texas Senate
Senator Robert Nichols, Texas Senate

LETTER OF TRANSMITTAL
TEXAS SENATE
STATE OF TEXAS

SB 2250

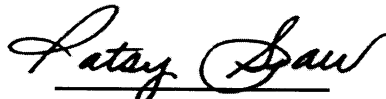
Bill Number

TO: The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

3/23/2017

Date transmitted to
Governor's Office


Secretary of the Senate

TO: Texas Commission on Environmental Quality
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

March 24, 2017

Date transmitted to
Texas Commission on Environmental Quality


Governor

TO: The Honorable President of the Senate
The Honorable Speaker of the House of Representatives
The Honorable Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.


Texas Commission on Environmental Quality

By: Creighton, Nichols

S.B. No. 2250

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the board of directors of the Lone Star Groundwater
3 Conservation District.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Sections 6(a) and (c), Chapter 1321, Acts of the
6 77th Legislature, Regular Session, 2001, are amended to read as
7 follows:

8 (a) The district is governed by a board of seven elected
9 ~~[nine]~~ directors.

10 (c) Permanent directors serve staggered four-year terms. A
11 director may not serve more than three full terms.

12 SECTION 2. The heading to Section 7, Chapter 1321, Acts of
13 the 77th Legislature, Regular Session, 2001, is amended to read as
14 follows:

15 Sec. 7. ELECTION ~~[APPOINTMENT]~~ OF DIRECTORS.

16 SECTION 3. Section 7(a), Chapter 1321, Acts of the 77th
17 Legislature, Regular Session, 2001, is amended to read as follows:

18 (a) The members of the board are elected ~~[appointed]~~ as
19 follows:

20 (1) one director is elected from each of the four
21 county commissioners precincts by the voters of the applicable
22 precinct to be designated as the director whose place number
23 matches the applicable precinct number ~~[the Commissioners Court of~~
24 ~~Montgomery County shall appoint two directors];~~

1 (2) one director is elected by the voters of the
2 district at large to be designated as the director for place number
3 five;

4 (3) one director is elected from the City of Conroe by
5 the voters of that municipality; and

6 (4) one director is elected from the Woodlands
7 Township by the voters of that township ~~[the board of directors of~~
8 ~~the Montgomery County Soil and Water Conservation District shall~~
9 ~~appoint one director,~~

10 ~~[(3) the board of directors of the San Jacinto River~~
11 ~~Authority shall appoint one director,~~

12 ~~[(4) the mayor of the City of Conroe shall appoint one~~
13 ~~director,~~

14 ~~[(5) the mayors of all of the incorporated~~
15 ~~municipalities, other than the City of Conroe, located in whole or~~
16 ~~in part in Montgomery County, jointly shall appoint one director,~~

17 ~~[(6) the board of trustees of the Woodlands Joint~~
18 ~~Powers Agency shall appoint one director,~~

19 ~~[(7) the boards of directors of all of the municipal~~
20 ~~utility districts located in whole or in part in Montgomery County~~
21 ~~that are not members of the Woodlands Joint Powers Agency and the~~
22 ~~district boundaries of which are located primarily to the east of~~
23 ~~Interstate Highway 45 jointly shall appoint one director, and~~

24 ~~[(8) the boards of directors of all of the municipal~~
25 ~~utility districts located in whole or in part in Montgomery County~~
26 ~~that are not members of the Woodlands Joint Powers Agency and the~~
27 ~~district boundaries of which are located primarily to the west of~~

1 ~~Interstate Highway 45 jointly shall appoint one director].~~

2 SECTION 4. Chapter 1321, Acts of the 77th Legislature,
3 Regular Session, 2001, is amended by adding Section 7A to read as
4 follows:

5 Sec. 7A. TEMPORARY PROVISION. (a) A director of the board
6 of the Lone Star Groundwater Conservation District who is serving
7 on August 31, 2017, shall serve until the director's successor has
8 qualified following the directors' election held on the uniform
9 election date in November 2018.

10 (b) After the November 2018 election, the precinct 1
11 director, the at-large director, and the director elected by the
12 City of Conroe shall serve a term that expires December 1 of the
13 second year after the date of the election and the directors of
14 precincts 2, 3, and 4 and the director elected by the Woodlands
15 Township shall serve a term that expires December 1 of the fourth
16 year after the date of that election. The initial two-year terms of
17 the precinct 1 director, the at-large director, and the director
18 elected by the City of Conroe do not count toward the term
19 limitation provided by Section 6(c) of this Act.

20 (c) This section expires September 1, 2024.

21 SECTION 5. Sections 7(b), (c), (d), and (e), Chapter 1321,
22 Acts of the 77th Legislature, Regular Session, 2001, are repealed.

23 SECTION 6. (a) The legal notice of the intention to
24 introduce this Act, setting forth the general substance of this
25 Act, has been published as provided by law, and the notice and a
26 copy of this Act have been furnished to all persons, agencies,
27 officials, or entities to which they are required to be furnished

S.B. No. 2250

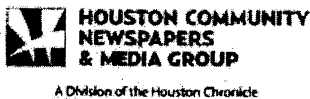
1 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2 Government Code.

3 (b) The governor, one of the required recipients, has
4 submitted the notice and Act to the Texas Commission on
5 Environmental Quality.

6 (c) The Texas Commission on Environmental Quality has filed
7 its recommendations relating to this Act with the governor, the
8 lieutenant governor, and the speaker of the house of
9 representatives within the required time.

10 (d) All requirements of the constitution and laws of this
11 state and the rules and procedures of the legislature with respect
12 to the notice, introduction, and passage of this Act are fulfilled
13 and accomplished.

14 SECTION 7. This Act takes effect September 1, 2017.

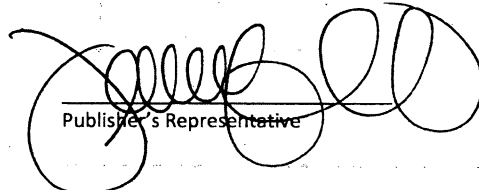


AFFIDAVIT OF PUBLICATION

STATE OF TEXAS
COUNTY OF MONTGOMERY


Personally appeared before the undersigned, a Notary Public within and for said County and State,
Jennifer Breitenbach, Representative for Brenda Miller-Ferguson, General Manager and Publisher of
The Conroe Courier a newspaper of general circulation in the County of Montgomery, State of Texas.
Who being duly sworn, states under oath that the report of Legal Notices, a true copy of which is hereto
annexed was published in said newspapers in its issue(s) of the

_____ 18 day of February, 2017
_____ day of _____, 2017
_____ day of _____, 2017
_____ day of _____, 2017

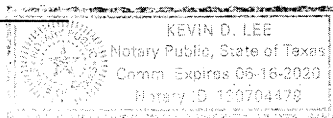


Publisher's Representative

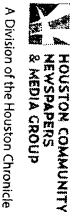
Sworn to and subscribed before me this 18 day of February, 2017.



Notary Public



My commission expires on (stamp) _____

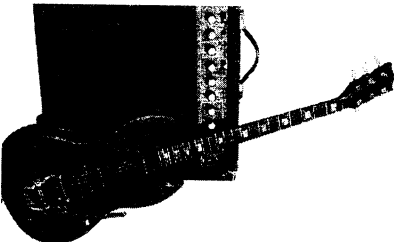


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